IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

| UNITED STATES OF AMERICA, |) | |
|---------------------------|-----|--|
| Plaintiff, |) | |
| vs. |) | CASE NO. 1:04CR72 & 1:04CR87 (Financial Litigation Unit) |
| MAJOR FRANK CALCUTT, |) | |
| Defendant. |) | |
| and |) | |
| |) | |
| CAROLINA FIRST BANK, |) | |
| Garnishee. | .) | |

DISMISSAL OF WRIT OF GARNISHMENT

Upon motion of the United States for the reasons stated therein and for good cause shown, IT IS, THEREFORE, ORDERED that the Writ of Garnishment as to the Garnishee Carolina First Bank filed in this case against the defendant Major Frank Calcutt is DISMISSED.

Signed: December 2, 2006

Lacy H. Thornburg United States District Judge